

March 5, 2010



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 12981
(FOURTH REVISION)

EXPIRATION DATE: February 28, 2014

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Airgas, Inc.
Cheyenne, WY
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of DOT Specification MC-330 and MC-331 cargo tank motor vehicles containing nitrous oxide, refrigerated liquid, with an alternate means to shut-down the flow of product. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Party status will not be granted to this permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: The marking requirement specified in § 172.203(a); and § 173.315(n)(2) in that a cargo tank motor vehicle transporting a dual hazard material without a passive shut-down capability is not authorized, except as authorized herein.
5. BASIS: This special permit is based on the application of Airgas Management, Inc. dated January 4, 2010, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Nitrous oxide, refrigerated liquid	2.2	UN2201	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are DOT Specification MC-330 and MC-331 cargo tank motor vehicles authorized for nitrous oxide, refrigerated liquid, in the HMR.

b. OPERATIONAL CONTROLS - The requirement for a passive shut-down system specified in § 173.315(n)(2) is waived provided the qualified person monitoring unloading remains within arm's reach of the mechanical means of closure for the external inlet valve to the pump, or the pump power source when the valve is open, except for short periods when it is necessary to activate controls or monitor the receiving container.

8. SPECIAL PROVISIONS:

a. No new construction is authorized.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each DOT Specification MC-330 and MC-331 cargo tank motor vehicle must be plainly and durably marked "DOT-SP 12981" as specified in §§ 172.302(b) and (c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous

materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

A handwritten signature in blue ink that reads "Diane LaValle". The signature is written in a cursive style.

for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: dl